

Appln No. 10/715,221
Amdt date September 4, 2007
Reply to Office action of June 4, 2007

REMARKS/ARGUMENTS

Claims 24, 25 and 31-46 are pending in the present application, of which claims 25, 35, 39, 41 and 43 have been withdrawn.

Applicants filed an Information Disclosure Statement (IDS) on April 15, 2005. However, the Office action does not include any receipt acknowledgement of the noted IDS and the list of references cited by the Applicants in the noted IDS. Applicants respectfully request that the Examiner acknowledge receipt of the April 15, 2005, IDS and the list of references cited by the Applicants in IDS.

Claims 24, 31, 32, 34, 36 and 38 have been rejected under 35 U.S.C. 102(b) over Swanson et al., U.S. Patent 5,582,609. Applicants have amended claim 24 to recite a cardiac pacing electrode, carried by the body and wherein at least a portion of the forming element is configured to be removable after implantation of the elongate body within the coronary sinus. In contrast, Swanson et al., does not teach or suggest the noted limitations of claim 24.

Swanson et al. is directed to a system having curvilinear electrode elements for forming large lesions in body tissue. Referring to FIGS. 1 and 2, Swanson et al. discloses an ablating element 10 that is carried by a catheter 12 with a handle 16. A steering mechanism 18 bends the ablating element 10 in two opposite directions by pulling two wires, which are right and left wires 24. *See also FIGS. 27 and 28.* The ablating element 10 includes ablating electrodes that when in contact with heart tissue form lesions at the contact area upon receiving ablating energy. *See for example, col. 8, line 60 to col. 9, line 39.* The ablating element 10 also includes a temperature sensing electrode 80. *See FIGS. 3 and 4.* The ablating element 10 also includes a sensing electrode ring 40 to sense electrical events in the heart tissue. *See col. 6, lines 48-53.*

Swanson et al. does not teach or suggest that any of the right and left wires 24 are configured to be removable. Furthermore, Applicants submit that removing any of the right and left wires would render the steering mechanism of the ablating element inoperable. Therefore, Swanson et al. does not teach or suggest a forming element configured to be

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removable after implantation of the elongate body within the coronary sinus as recited in claim 24. Furthermore, Swanson et al. does not teach or suggest that the ablating element 10 includes a cardiac pacing electrode as recited in claim 24.

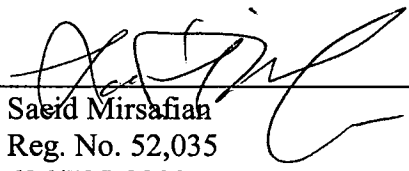
For the foregoing reason, Applicants submit that claim 24 and dependent claims 31, 32, 34, 36 and 38 are patentable over Swanson et al.

Claims 40, 42 and 46 have been rejected under 35 U.S.C. 103(a) over Swanson et al. in view of Goldsteen et al., U.S. Patent 6,206,912. Because claim 24 is patentable over Swanson et al., Claims 40, 42 and 46 are also patentable over Swanson et al. in view of Goldsteen et al.

Applicants have presented new claim 50, which recites that the medical apparatus of the present application comprises only one forming element attached to the elongate body at the point of attachment for manipulating the elongate body between the first transluminal configuration and the second remodeling configuration. Applicants believe that none of the cited references teaches or suggests having only one forming element.

Based on the foregoing, Applicants respectfully request allowance of the claims.

Respectfully submitted,
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